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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET
07/858,645	03/27/92	NOBE	K Q28873

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PARK, C EXAMINER

ART UNIT	PAPER NUMBER
2304	5

DATE MAILED: 01/13/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of the failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-15 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-2 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-2 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirements.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☒ The corrected or substitute drawings have been received on 7/16/92. Under 37 C.F.R. 1.84 these drawings are ☒ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☒ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☒ been received ☐ not been received.
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

ART UNIT 2304

1. This application has been examined with claims 1-2 currently pending.

2. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which papers have been placed of record in the file.

3. The title of the invention is not descriptive. A new title is required that is clearly
5 indicative of the invention to which the claims are directed.

4. Claims 1-2 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4.1 As per claim 1, "whether or not . . . equal to or smaller" (lines 15-16) is vague because
10 of the two occurrences of "or". Accordingly, Examiner suggests replacing "equal to or smaller" (line 16) to --greater-- and "equal to or smaller" (line 23) to --not greater--. Further, although "[an] on-vehicle navigation apparatus for displaying navigation information" is claimed (preamble), the body of the claim does not recite a display of navigation information. Thus, the claim appears to be incomplete.

15 4.2 Claim 2 is rejected for incorporating deficiencies cited above from its parent claim. Further, Examiner suggests deleting "to be" (line 4) in order to recite the claimed function more positively.

4.3 All the rejections hereinafter are based on the examiner's best understanding and interpretation of the claims in light of the deficiencies cited above.

ART UNIT 2304

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

5 (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Applicants' Admissions in "Description of the Related Art."

10 As per claim 1-2, Applicants admit as prior art detection means (page 1, lines 12+), means for acquiring (page 2, lines 1+), means for computing (page 1, lines 21+), discriminating means (page 2, lines 17+), means for erasing (page 2, lines 20+). Further, means for detecting start of a drive source such as an engine, a particular gear in a transmission or an accelerator is inherent in a vehicle.

15 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Collin W. Park whose telephone number is (703) 305-9754.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

20 *CWP*
Collin W. Park
Examiner
Art Unit 2304
January 10, 1994

Thomas G. Black
THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 2300